

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Sharon A. Graswick
Debtor(s)

Bankruptcy Case No.: 19-21614-CMB
Per January 30, 2020 Proceeding
Chapter: 13
Docket No.: 43 – 36, 41
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated January 20, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$2,670.00 as of February, 2020. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: No payments to secured/priority part of following claims because of Trustee receipt of notice that claim has been released: PNC (Cl.#15)

The estimated pool of funds available to be paid to general unsecured creditors and estimated percentage dividend are revised to \$48,376.37 (100%).

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: January 31, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Sharon A. Graswick
 Debtor

Case No. 19-21614-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dric
 Form ID: 149

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 Total Noticed: 41

Date Rcvd: Jan 31, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 02, 2020.

db +Sharon A. Graswick, 206 Valley Court, Pittsburgh, PA 15237-2047
 cr +Township of Ross, Goehring, Rutter, and Boehm, 437 Grant Street, 14th Floor,
 Frick Building, Pittsburgh, PA 15219, UNITED STATES OF AMERICA 15219-6101
 cr +United States of America Department of the Treasurer, c/o Office of U.S. Atty for W.D. of PA,
 U.S. Post Office & Courthouse, 700 Grant Street, Pittsburgh, PA 15219,
 U.S.A. 15219-1906
 15037089 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: AAA Financial Services, P.O. Box 15019, Wilmington, DE 19886)
 15067872 +Bank of America, N.A., P O Box 982284, El Paso, TX 79998-2284
 15037090 Barclays, P.O. Box 13337, Philadelphia, PA 19101-3337
 15037093 Capital One Bank, P.O. Box 71087, Charlotte, NC 28272-1087
 15037094 +Charles Graswick, 200 Valley Court, Pittsburgh, PA 15215-1708
 15037095 First National Bank of Omaha, P.O. Box 2557, Omaha, NE 68103-2557
 15037096 Internal Revenue Service, 999 Money Street, Philadelphia, PA 15345
 15037098 +Lending Club, 595 Market Street, Suite 200, San Francisco, CA 94105-2807
 15053873 ++PERI GARITE, ATTN CARD WORKS, 101 CROSSWAYS PARK DR W, WOODBURY NY 11797-2020
 (address filed with court: First National Bank of Omaha, 1620 Dodge St., Stop Code 3105,
 Omaha, NE 68197)
 15081066 +PNC BANK N.A., PO BOX 94982, CLEVELAND, OH 44101-4982
 15037103 PNC Bank, P.O. Box 6534, Carol Stream, IL 60197-6534
 15074534 +PNC Bank, N.A., 3232 Newmark Drive, Miamisburg, OH 45342-5421
 15037104 +PNC Mortgage, P.O. Box 6534, Carol Stream, IL 60197-6534
 15071984 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Avenue,
 Pittsburgh, PA 15233-1828
 15037101 +Phillips & Cohen, 1002 Justison Street, Wilmington, DE 19801-5148
 15037102 +Phillips, Gardill, Kaiser & Altmeyer, 61 Fourteenth Street, Wheeling, WV 26003-3411
 15095571 +Ross Township, Goehring Rutter & Boehm, c/o Jeffery R. Hunt, Esq.,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh PA 15219-6101
 15037105 Ross Township, 100 Municipal Drive, Pittsburgh, PA 15237
 15076616 U.S. Bank NA dba Elan Financial Services, Bankruptcy Department, PO Box 108,
 St Louis, MO 63166-0108
 15063162 +Wells Fargo Bank N.A., d/b/a Wells Fargo Auto, PO Box 130000, Raleigh NC 27605-1000
 15037106 Wells Fargo Dealer Services, P.O. Box 17900, P.O. Box 168048, Denver, CO 80217-0900
 15037107 WesBanco, Cardmember Service, P.O. Box 790408, Saint Louis, MO 63179-0408

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/PDF: acg.acg.ebn@americaninfosource.com Feb 01 2020 04:10:54
 Capital One Auto Finance, a division of Capital On, 4515 N Santa Fe Ave. Dept. APS,
 Oklahoma City, OK 73118-7901
 cr +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Feb 01 2020 04:28:55
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15037091 +E-mail/PDF: AIS.COAF.EBN@Americaninfosource.com Feb 01 2020 04:13:06
 Capital One Auto Finance, 7933 Preston Road, Plano, TX 75024-2302
 15044298 +E-mail/PDF: acg.acg.ebn@americaninfosource.com Feb 01 2020 04:11:47
 Capital One Auto Finance, a division of Capital On, P.O. Box 4360, Houston, TX 77210-4360
 15037092 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Feb 01 2020 04:11:42 Capital One Bank,
 P.O. Box 71083, Charlotte, NC 28272-1083
 15052907 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Feb 01 2020 04:12:47
 Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083,
 Charlotte, NC 28272-1083
 15099669 E-mail/Text: cio.bncmail@irs.gov Feb 01 2020 04:06:01 Department of Treasury,
 Internal Revenue Service, Centralized Insolvency Operation, P.O. Box 7346,
 Philadelphia, PA 19101-7346
 15077416 +E-mail/Text: kborkley@bernsteinlaw.com Feb 01 2020 04:08:08 Duquesne Light Company,
 c/o Bernstein-Borkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 15037097 E-mail/Text: key_bankruptcy_ebnc@keybank.com Feb 01 2020 04:07:26 Key Bank,
 P.O. Box 89446, Cleveland, OH 44101-6446
 15039880 +E-mail/Text: key_bankruptcy_ebnc@keybank.com Feb 01 2020 04:07:26 KeyBank N.A.,
 4910 Tiedeman Rd., Brooklyn, OH 44144-2338
 15037099 E-mail/PDF: gecsed@recoverycorp.com Feb 01 2020 04:10:36 Lowes/Synchrony Bank,
 P.O. Box 530914, Atlanta, GA 30353-0914
 15037100 E-mail/Text: e-bankruptcy@nasafcu.com Feb 01 2020 04:05:40 NASA Federal Credit Union,
 P.O. Box 1588, Bowie, MD 20717
 15077850 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Feb 01 2020 04:12:51
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
 15037264 +E-mail/PDF: gecsed@recoverycorp.com Feb 01 2020 04:12:31 Synchrony Bank,
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15070777 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Feb 01 2020 04:12:05 Verizon,
 by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457
 15054665 +E-mail/Text: bankrupt-adjdept@wesbanco.com Feb 01 2020 04:07:45 Wesbanco Bank, INC,
 1 Bank Plaza, Wheeling, WV 26003, 304-243-7580, bankrupt-adjdept@wesbanco.com 26003-3565
 TOTAL: 16

District/off: 0315-2

User: dric
Form ID: 149

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Total Noticed: 41

Date Rcvd: Jan 31, 2020

***** BYPASSED RECIPIENTS (continued) *****

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr PNC BANK NATIONAL ASSOCIATION
cr* +Duquesne Light Company, c/o Bernstein-Burkley, P.C.,
707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
cr* +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
Pittsburgh, PA 15233-1828

TOTALS: 1, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 02, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 31, 2020 at the address(es) listed below:

James Warmbrodt on behalf of Creditor PNC BANK NATIONAL ASSOCIATION bkgroup@kmlawgroup.com
Jeffrey R. Hunt on behalf of Creditor Township of Ross jhunt@grblaw.com, cnoroski@grblaw.com
Jill Locnikar on behalf of Creditor United States of America Department of the Treasury,
Internal Revenue Service jill.locnikar@usdoj.gov,
patricia.fitzgerald@usdoj.gov;caseview.ecf@usdoj.gov;Marla.Kirkland@usdoj.gov
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Rodney D. Shepherd on behalf of Debtor Sharon A. Graswick rodsheph@cs.com
Ronda J. Winnecour cmecf@chapter13trusteewdpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
Equitablebankruptcy@peoples-gas.com;srk@sjwpgh.com

TOTAL: 8